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TO: U.S. Patent and Trademark Office
Examiner: Carlos Lopez Group: 1731
Fax #703-872-9306

FROM: Steven A. Witters, Reg. No. 53,923

DATE: November 4, 2003

PAGES: 14 in total (including cover sheet)

RE: U.S. Patent Application No. 09/446,232

Remarks: This facsimile is a response to the Office Action having a mailing date of August 8, 2003.

Enclosed is:

- (1) Transmittal Form;
- (2) Amendment.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8

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Lynn Minton, Paralegal
Person Signing

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Date

PTO/SB/21 (09-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/446,232
Filing Date	02/14/2000
First Named Inventor	BIGGS
Art Unit	1731
Examiner Name	LOPEZ
Attorney Docket Number	BW-388-2

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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|--|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	STEVEN A. WITTERS, Reg. No. 53,923
Signature	<i>Steve Witters</i>
Date	11/04/2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	LYNN MINTON
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Signature

Date 11/04/2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application:	09/446,232)	Group:	1731
Title:	SMOKING ARTICLE AND)	Examiner:	Lopez, Carlos
	SMOKING MATERIALS THERE-)		
	FORE)		
Inventor:	Biggs et al.)		
Filed:	02/14/00)		

AMENDMENT UNDER 37 CFR § 1.111

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the office action dated August 8, 2003 please amend the above referenced application as follows: